Development Commission under Section 208 continuing planning funds controls the storage and handling of toxic and hazardous materials, without actually prohibiting their use. Key provisions include the following:

- Generic definition of toxic and hazardous materials, such as organic chemicals, pesticides, solvents, paints, and thinners, including waste products containing these materials along with referenced lists published by EPA under the Resource Conservation Recovery Act (RCRA) and the Clean Water Act.
- Required registration with the Board of Health by all nonresidential users of toxic or hazardous materials who store 50 gallons or 25 pounds of such materials.
- Standards setting for storage of materials, including spill containment, similar to Suffolk County's Bulk Storage regulation.
- Prohibition and discharge of any toxic and hazardous materials to the ground.

Finally, it was thought that bringing the article before a town meeting would provide a good opportunity for public education on the importance of ground water protection. The by-law was initially intended for application only in the designated zones of contribution for public supply wellfields. However, Barnstable, the first town to propose the by-laws, rejected this approach. This was because of general discomfort with the means by which the zones were initially drawn and a concern that toxic and hazardous materials should be carefully managed throughout the town. The by-law was passed the second time it was proposed, applicable town wide.

Other towns on Cape Cod have chosen to pass the by-law as a health regulation. This was intended to avoid the uninformed controversy generated by bringing a health-based regulation before a political body (town meeting). In these cases, the by-law was enacted as a health regulation by the appointed board of health, a three- to seven-person body. The wide public acceptance of the by-law or health regulation, which has been passed by 11 of the 15 towns, is attributed to the fact that it does not obstruct or ban industrial development. For many businesses, its only impact was to require information to be filed with the board of health on the nature of activities and materials stored. This information is used to set inspection priorities and is expected to be useful in the future when materials are detected in monitoring programs.

Even in areas where implementation has not been given a priority, the program has contributed significantly to public awareness of the toxic materials problem. Pamphlets prepared under the implementation program emphasized the wide variety of materials and processes that are not generally perceived as heavy industry but pose a threat to ground water quality. Im-